Writ Petition no.451 (M/B) of 2002

M/s Guru Nanak Rice Mills ---------- Petitioner

Versus

Debts Recovery Tribunal and others ---------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Gopal Narain learned counsel for the petitioner and Sri S.K.Jain learned counsel for respondent no.3 Bank of Baroda.

Respondent no.3 Bank of Baroda filed suit at Kanpur against the petitioner for recovery of loan. On the creation of Debts Recovery Tribunal at Jabalpur the suit was sent there. Thereafter the suit was sent to Debts Recovery Tribunal Allahabad having jurisdiction. Now Debts Recovery Tribunal Allahabad has seized to have jurisdiction to try the suit after notification-dated 31.01.2002 issued by the Government of India by which Debts Recovery Tribunal has been established at Lucknow. The learned counsel for the parties agree that the writ petition may be disposed of finally with a direction to Debts Recovery Tribunal Allahabad to send the case to Debts Recovery Tribunal Lucknow.

In view of the above the Debts Recovery Tribunal Allahabad is directed to send suit no.626 of 2000 Bank of Baroda Vs. M/s Guru Nanak Rice Mills Pvt. Ltd. to Debts Recovery Tribunal Lucknow. The learned counsel for the respondent no.3 has stated that the suit is pending since 1997, therefore, it would be proper to direct the Debts Recovery Tribunal Lucknow to decide the suit expeditiously as early as possible.

The writ petition is disposed of finally with the above directions.

(M.M. Ghildiyal, J.)

May 20, 2003
MPS